

Notice  
of  
Rulemaking Hearing  
Department of Environment and Conservation  
Division of Natural Areas

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There will be a public rulemaking hearing before the Tennessee Department of Environment and Conservation, Division of Natural Areas, acting on behalf of the Commissioner, to consider the adoption and promulgation of rules and amendments to Rule Chapter 0400-6-2 Rare Plant Protection and Conservation Regulations pursuant to Tennessee Code Annotated Sections 4-5-201 et seq., 70-8-301, 70-8-305 and Chapter 242, Public Acts of 1985. In accordance with the recent enactment of SB 55 / HB 1276, the department has considered whether the rule modifications proposed in this Notice have an impact on small business and has been unable to determine any. These proposed rule modifications carry out the duty of the Department under T.C.A. §70-8-305 to promulgate a list of endangered plant species. They do not impose additional reporting, administrative, or recordkeeping requirements. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-204, and will take place in the 5<sup>th</sup> Floor Conference Room, L & C Tower, 401 Church Street, Nashville, Tennessee at 1:00 PM CDT on August 21, 2007.

Individuals with disabilities who wish to participate in these proceedings (or to review these filings) should contact the Tennessee Department of Environment and Conservation to discuss any auxiliary aids or services needed to facilitate such participation. Such contact may be in person, by writing, telephone, or other means and should be made no less than ten days prior to August 21, 2007 (or the date such party intends to review such filings), to allow time to provide such aid or services. Contact the ADA Coordinator at 1-866-253-5827 toll free for further information. Hearing impaired callers may use the Tennessee Relay Service (1-800-848-0298).

Substance of Proposed Rules

Amendments

Rules 0400-6-2-.01, .02, .03 and .04 of Rule Chapter 0400-6-2 Rare Plant Protection and Conservation Regulations are amended by deleting them in their entirety and substituting the following so that, as amended, they shall read as follows:

Rule 0400-6-2-.01      Rare Plant Protection and Conservation-General

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(1)      General

(a)      Purpose, Scope, and Applicability

The purpose of these regulations is to provide for the implementation of The Rare Plant Protection and Conservation Act which requires persons to obtain written permission from a landowner or manager before knowingly removing or destroying state-listed endangered plant species and requires nursery farmers to be licensed in order to sell state-listed endangered species.

(b)      Use of Number and Gender

As used in these Rules:

- and
1.      Words in the masculine gender also include the feminine and neuter genders;
  2.      Words in the singular include the plural; and
  3.      Words in the plural include the singular.

(c)      Rule Structure

These Rules are organized, numbered, and referenced according to the following outline form:

(1)      paragraph

(a)      subparagraph

1.      part

(i)      subpart

(I)      item

I.      subitem

A.      section

(A)      subsection

(2)      Definitions

"Act" means "The Rare Plant Protection and Conservation Act of 1985," T.C.A. Section 70-8-301 et seq.

"Acquire," "Acquired", or "Acquisition" means to obtain, to have obtained, or the act of obtaining, by donation, or by exchange of money or other valuable consideration (specifically including barter or exchange), or to take as defined in these regulations.

"Commissioner" means the Commissioner of the Department of Environment and Conservation.

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"Conserve" or "Conservation" means to use, or the use of, all methods and procedures for the purpose of increasing the number of individuals of each resident species of plant up to levels adequate to assure their survival in their ecosystems; such methods and procedures also include all activities associated with scientific resource conservation such as research census, law enforcement, habitat protection, acquisition and maintenance, propagation, and transplantation into unoccupied parts of historic range.

"Department" means the Department of Environment and Conservation.

"Endangered species" means any species or subspecies of plant whose continued existence as a viable component of the state's flora is determined by the Commissioner to be in jeopardy, including but not limited to all species of plants determined to be "endangered species" pursuant to the Endangered Species Act.

"Endangered Species Act" means the federal Endangered Species Act of 1973, Public Law 93-205 (87 Stat. 884), 16 USC 1531 et seq., as subsequently amended.

"Habitat" means the place where a plant species grows, thus implying a particular set of environmental conditions conducive to its survival.

"Landowner" means the person having legal deed to a parcel of land, or a lessee, or any other person entitled to possession, or a manager in the case of publicly owned land.

"Nursery Farmer" means any person engaged in the practice of growing or propagating stock for sale.

"Nursery stock" means all trees, shrubs, or other perennial plants, or parts of such trees, shrubs, or other perennial plants grown or kept for, or capable of, propagation, distribution, or sale on a commercial basis.

"Person" means an individual, corporation, partnership, trust, association, or any other private entity, or any officer, agent, department, or instrumentality of the federal government, any state or political subdivision thereof, or any foreign government.

"Plant" means any member of the plant kingdom, including seeds, roots, cuttings, and other parts of the plant.

"Population" means individuals of a given plant species that are capable of interbreeding with one another via natural mechanisms, or are growing in close proximity, yet self-pollinating or reproducing strictly by vegetative means.

"Rare species" means any species of plant defined as endangered, threatened, or of special concern in Tennessee or pursuant to the Endangered Species Act.

"Sell" or "Sold" means to dispose of, transfer or convey, or to attempt to dispose of, transfer or convey by exchange of money or other valuable consideration, specifically including barter or exchange.

"Special Concern Species" means any species or subspecies of plant which is uncommon in Tennessee, or has unique or highly specific habitat requirements or scientific value and therefore requires careful monitoring of its status.

"Take" or "Taking" means to knowingly uproot, dig, remove, damage, destroy, possess, collect, or otherwise disturb for any purpose.

"Threatened Species" means any species or subspecies of plant which appears likely, within the foreseeable future, to become endangered throughout all or a significant portion of its range in Tennessee, including but not limited to all species of plants determined to be a "threatened species" pursuant to the Endangered Species Act.

Authority: T.C.A. §§ 4-5-201 et seq., 70-8-301, 70-8-305 and Chapter 242, Public Acts of 1985. Administrative History: Original rule filed May 13, 1986; effective June 12, 1986. Amendment filed July 14, 1999; effective September 27, 1999.

Rule 0400-6-2-.02 (Reserved)

Rule 0400-6-2-.03 Promulgation of Lists

- (1) Criteria for listing a rare plant as endangered, threatened, or of special concern, shall be primarily, but not limited to, the following:
  - (a) Distribution of the species in Tennessee and throughout its range;
  - (b) Number of populations in Tennessee and throughout the species' range;
  - (c) Size of populations relative to estimates of minimal viable populations for the species;
  - (d) Habitat specificity;
  - (e) Known or perceived threats to the species and its habitats;
  - (f) Number of protected populations;
  - (g) Difficulty of adequately protecting or managing habitats for the species' survival; and
  - (h) Biological factors relating to such things as the species' ability to reproduce, respond to disturbance, or its dependence on other species that also may be in jeopardy.
- (2) Any interested person may nominate a plant species for listing as endangered, threatened, or special concern status or recommend changes in status or removal of species from the current rare plant list promulgated under the Act.
- (3) A Scientific Advisory Committee of twelve (12) botanists knowledgeable about the state's flora shall serve at the Commissioner's request to periodically review the rare plant list and consider nominations for changes to it. This group shall meet at least once every three (3) years. Reimbursement for travel and per diem expenses shall be offered by the Department at current state rates.
- (4) A public hearing shall be held prior to the addition or deletion of a species to or from the endangered or threatened species lists.
- (5) The Department shall submit its proposed list of endangered species or any amendments to it to the Commissioner of the Department of Agriculture for his concurrence.
- (6) Copies of the current list of endangered species or the list of threatened or special concern species shall be made available, upon request, by the Department of Environment and Conservation, Division of Natural Areas, 401 Church Street, Nashville, Tennessee 37243-0447.

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Authority: T.C.A. §§ 4-5-201 et seq., 70-8-301, 70-8-305 and Chapter 242, Public Acts of 1985.  
Administrative History: Original rule filed May 13, 1986, effective June 12, 1986. Amendment filed July 14, 1999; effective September 27, 1999.

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Rule 0040-6-2-.04 List of Endangered Species

The endangered plant list of Tennessee includes the following:

Latin Name	Common Name
<i>Aconitum reclinatum</i> A.	Gray trailing wolfsbane
<i>Agalinis auriculata</i> (Michx.)	Blake Earleaved false-foxglove
<i>Agalinis oligophylla</i> Pennell	Ridge-stem false foxglove
<i>Agalinis plukenetii</i> (Ell.) Raf	Purple gerardia
<i>Allium stellatum</i> Fraser	Glade onion
<i>Anemone canadensis</i> L.	Canada anemone
<i>Anemone caroliniana</i> Walt.	Carolina anemone
<i>Apios priceana</i> Robbins	Price's potato-bean
<i>Arabis patens</i> Sullivan	Spreading rockcress
<i>Arabis perstellata</i> L. Braun	Braun's rockcress
<i>Arenaria lanuginosa</i> (Michx.) Rohrback	Wooly sandwort
<i>Aristida ramosissima</i> Engelm. ex Gray	Branched three-awn grass
<i>Asplenium scolopendrium</i> L. var. <i>americanum</i> (Fern.) Kartsz & Gandhi	Hart's-tongue fern
<i>Astilbe crenatiloba</i> (Britt.) Small	Crenate-lobed false goat's-beard
<i>Astragalus bibullatus</i> Barneby and Bridges	Pyne's ground-plum
<i>Betula papyrifera</i> Marsh var. <i>cordifolia</i> (Regel) Fern.	Heart-leaved paper birch
<i>Brachydontium trichodes</i> (Web.) Milde	Peak moss
<i>Bulbostylis ciliatifolia</i> (Ell.) Fern. var. <i>coarctata</i> (Ell.) Kral	Capillary hairsedge
<i>Calamagrostis cainii</i> Hitchcock	Cain's reedgrass
<i>Calamagrostis porteri</i> A. Gray	Porter's reedgrass
<i>Calamovilfa arcuata</i> K.E. Rogers	Cumberland sandgrass
<i>Calopogon oklahomensis</i> D.H. Goldman	Oklahoma grass-pink
<i>Caltha palustris</i> L.	Marsh marigold
<i>Carex alopecoidea</i> Tuckerm.	Foxtail sedge
<i>Carex barrattii</i> Schweinitz and Torr.	Barratt's sedge
<i>Carex manhartii</i> Bryson	Manhart's sedge
<i>Carex muskingumensis</i> Schweinitz	Muskingum sedge
<i>Carex pellita</i> Willd.	Woolly sedge
<i>Carex roanensis</i> Hermann	Roan mountain sedge
<i>Carex sterilis</i> Willd.	Sterile sedge
<i>Carex utriculata</i> Boott.	Northwest Territory sedge
<i>Carex vestita</i> Willd.	Velvety sedge
<i>Cephaloziella messalongi</i> (Spruce) K. Muell.	a liverwort
<i>Cerastium velutinum</i> Raf.	Velvety cerastium
<i>Clematis glaucophylla</i> Small	White-leaved leatherflower
<i>Clematis morefieldii</i> Kral	Huntsville vasevine
<i>Clethra alnifolia</i> L.	coastal pepperbush
<i>Coeloglossum viride</i> (L.) Hartman var. <i>virescens</i> (Muhl. ex Willd.) Luer	Long-bracted green orchis
<i>Collinsia verna</i> Nutt.	Spring blue-eyed Mary
<i>Comptonia peregrina</i> (L.) Coulter	Sweet-fern
<i>Coreopsis latifolia</i> Michx.	Broad-leaved tickseed

Coreopsis delphiniifolia Lam.  
Corydalis sempervirens (L.) Pers.  
Crataegus harbisonii Beadle  
Crotalaria purshii DC.  
Croton alabamensis E.A. Smith  
Cypripedium kentuckiense Reed  
Cypripedium reginae Walt.  
Dalea foliosa (A. Gray) Barneby  
Dalea purpurea Vent.  
Delphinium exaltatum Ait.  
Desmodium ochroleucum M.A. Curtis ex Canby  
Diamorpha smallii Britt.  
Dichanthelium aciculare (Desv. ex Poir.)  
Gould & C.A. Clark  
Dichanthelium acuminatum subsp. spretum  
(Schult.) Freckmann & Lelong  
Dichanthelium ensifolium subsp. curtifolium  
(Nash) Freckmann & Lelong  
Echinacea tennesseensis (Beadle) Small  
Eleocharis equisetoides (Ell.) Torr.  
Eleocharis intermedia J.A. Schultes  
Eleocharis wolfii A. Gray  
Elymus svensonii Church  
Eriocaulon decangulare L.  
Eriogonum longifolium Nutt.  
var. harperi (Goodm.) Reveal  
Eriophorum virginicum L.  
Erysimum capitatum (Dougl.) Greene  
Eupatorium leucolepis (DC.) Torr. and A. Gray  
Eurybia saxicastelli (J. J. N. Campbell & Medley)  
G. L. Nesom  
Fimbristylis perpusilla Harper  
Gentiana puberulenta J.S. Pringle  
Geum geniculatum Michx.  
Geum radiatum Michx.  
Gratiola floridana Nutt.  
Hedyotis purpurea (L.) Torr. & A.Gray  
var. montana (Small) Fosberg  
Helenium brevifolium (Nutt.) Wood  
Helianthemum bicknellii Fern.  
Helianthemum canadense (L.) Michx.  
Helianthemum propinquum E.P. Bicknell  
Helianthus verticillatus Small  
Homaliadelphus sharpii (Williams) Sharp  
Hydrocotyle americana L.  
Hypericum adpressum Barton  
Hypericum ellipticum Hook.  
Hypericum graveolens Bickl.  
Iris brevicaulis Raf.  
Isoetes melanopoda Gay and Durieu  
Isoetes tennesseensis N.T. Luebke & J.M. Budke  
Isotria medeoloides (Pursh) Raf.  
Juncus trifidus L. var. carolinianus Hamet-Ahti  
Kalmia angustifolia L. var. carolina (Small) Fern.  
Lachnanthes carolina (Lam.)

Larkspur-leaved coreopsis  
Pale corydalis  
Harbison's hawthorn  
Pursh's rattlebox  
Alabama croton  
Southern lady's-slipper  
Showy lady's-slipper  
Leafy prairie-clover  
Purple prairie-clover  
Tall larkspur  
Creamflower tick-trefoil  
Small's stonecrop  
Needleleaf witchgrass  
  
Eaton's witchgrass  
  
Short-leaved panic grass  
  
Tennessee coneflower  
Horse-tail spike-rush  
matted spike rush  
Wolf's spike rush  
Svenson's wild-rye  
Ten-angle pipewort  
Harper's umbrella-plant  
  
tawny cotton grass  
Western wallflower  
White-bracted thoroughwort  
Rockcastle aster  
  
Harper's fimbristylis  
Prairie gentian  
Bent avens  
Spreading avens  
Florida hedge-hyssop  
Roan Mountain bluet  
  
Shortleaf sneezeweed  
Plains frostweed  
Canada frostweed  
low frostweed  
Whorled sunflower  
Sharp's homaliadelphus  
American water-pennywort  
Creeping St. John's-wort  
Pale St. John's-wort  
Mountain St. John's-wort  
Lamance iris  
Blackfoot quillwort  
Hiwassee quillwort  
Small whorled pogonia  
Highland rush  
Sheep-laurel  
Dandy Carolina redroot

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Lachnocaulon anceps (Walt.) Morong	Bog-buttons
Leavenworthia exigua Rollins var. lutea Rollins	Pasture glade-cress
Lechea pulchella Raf.	Leggett's pinweed
Lejeunea sharpii (Schust.) Schust.	Sharp's lejeunia
Leptodontium excelsum (Sull.) Britt.	Grandfather mountain leptodontium
Leptohyemium sharpii (Crum & Anders.) Buck & Crum	Mount Leconte moss
Leptoscyphus cuneifolius (Hook.) Mitt.	A liverwort
Lesquerella globosa (Desv.) S. Watson	Short's bladderpod
Lesquerella perforata Rollins	Spring Creek bladderpod
Lesquerella stonensis Rollins	Stones River bladderpod
Lilium grayi S. Wats.	Gray's lily
Lilium philadelphicum L.	Wood lily
Linnaea borealis L.	Twinflower
Listera australis Lindl.	Southern twayblade
Lonicera prolifera (Kirchner) Rehder	Grape honeysuckle
Lycopodium annotinum L.	Stiff clubmoss
Lysimachia fraseri Duby	Fraser's loosestrife
Lysimachia terrestris (L.) BSP.	Swamp loosestrife
Maianthemum stellatum (L.) Link	Starflower false Solomon's-seal
Marshallia grandiflora Beadle and Boynton	Large-flowered Barbara's-buttons
Marsupella funkii (Web. & Mohr) Dumort.	a liverwort
Melanthium latifolium Desr.	Broadleaf bunchflower
Melanthium virginicum L.	Virginia bunchflower
Melanthium woodii (J.W. Robbins ex Wood) Bodkin	Ozark bunchflower
Minuartia cumberlandensis (Wofford & Kral) McNeill	Cumberland sandwort
Minuartia godfreyi (Shinners) McNeill	Godfrey's stitchwort
Minuartia groenlandica (Retzius) Ostenfeld	Mountain sandwort
Muhlenbergia cuspidata (Torr.) Rydb.	Plains muhly
Muhlenbergia torreyana (Shult.) Hitchcock	Torrey's dropseed
Nestronia umbellula Raf.	Nestronia
Onosmodium hispidissimum Mack.	Shaggy false gromwell
Onosmodium molle Michx. ssp subsetosum	Smooth false gromwell
(Mack & Bush) Cochrane	
Paxistima canbyi A. Gray	Canby's mountain-lover
Perideridia americana (Nutt. ex DC. ) Reichenb.	Thicket parsley
Pityopsis ruthii (Small) Small	Ruth's golden-aster
Plantago cordata Lam.	Heart-leaved plantain
Platanthera grandiflora (Bigelow) Lindl.	Large purple fringed orchid
Platanthera integra (Nutt.) A. Gray ex Beck	Yellow fringeless orchid
Platanthera integrilabia (Correll) Luer	White fringeless orchid
Platanthera nivea (Nutt.) Luer	Snowy orchid
Poa palustris L.	owl bluegrass
Pogonia ophioglossoides (L.) Ker-Gawl.	Rose pogonia
Polygala nana (Michx.) DC.	Dwarf milkwort
Polygala nuttallii Torr. and A. Gray	Nuttall's milkwort
Polygonella americana (Fisch. and Mey)	Small Southern jointweed
Ponthieva racemosa (Walt.) Mohr	Shadow-witch
Porella sp. nov. (sp. 1)	Hot porella
Prenanthes aspera Michx.	Rough rattlesnake-root
Prunus pumila L.	sand cherry
Pycnanthemum beadleii (Small) Fern.	Beadle's mountain mint
Prenanthes crepidinea Michx.	Nodding rattlesnake-root
Pycnanthemum verticillatum (Michx.) Pers.	Whorled mountain-mint
Pyrola americana Sweet	American wintergreen
Ranunculus aquatilis var. diffusus Withering	Eastern white water crowfoot

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Rhamnus alnifolia L'Her.	Alderleaf buckthorn
Rhynchosia latifolia Nutt.	Prairie rhynchosia
Rhynchospora alba (L.) Vahl	White beakrush
Rhynchospora capillacea Torr.	Horned beakrush
Rhynchospora latifolia (Baldw.) Thomas	Giant white-top sedge
Rhynchospora rariflora (Michx.) Ell.	Few-flowered beak-rush
Rhynchospora wrightiana Boeckler	Wright's beak-rush
Rudbeckia triloba L. var. pinnatifida Torrey & A. Gray	browneyed Susan
Rugelia nudicaulis Shuttlw. ex Chapman	Rugel's ragwort
Sabatia capitata (Raf.) Blake	Rose gentian
Sanguisorba canadensis L.	Canada burnet
Sarracenia oreophila (Kearney) Wherry	Green pitcher plant
Saxifraga caroliniana A. Gray	Carolina saxifrage
Saxifraga pensylvanica L.	Swamp saxifrage
Schwalbea americana L.	Chaffseed
Scutellaria arguta Buckl.	Hairy scullcap
Sedum nevii A. Gray	Nevius' stonecrop
Seymeria cassioides (J.F. Gmelin) Blake	Seymeria
Sida hermaphrodita (L.) Rusby	Virginia mallow
Silene ovata Pursh	Ovate catchfly
Silene regia Sims	Royal catchfly
Silphium brachiatum Gattinger	Cumberland rosinweed
Silphium lasiocarpum Medley	Kentucky rosinweed
Solidago gattingeri Chapm.	Gattinger's goldenrod
Solidago lancifolia Torr. and A. Gray	Broadleaf goldenrod
Solidago ptarmicoides (Nees) Boivin	Prairie goldenrod
Solidago rupestris Raf.	Rock goldenrod
Solidago spithamea M.A. Curtis	Blue ridge goldenrod
Sparganium angustifolium (Engelm.) Morong	Branching bur-reed
Sphenolobospermum pearsoni (Spreng.) Shust. & Kitag.	Sphenolobospermum
Spiraea alba DuRoi	Narrow-leaved meadow-sweet
Spiraea virginiana Britt.	Virginia spiraea
Spiranthes ochroleuca (Rydb.) Rydb.	Yellow nodding ladies'-tresses
Spiranthes odorata (Nutt.) Lindl.	Sweet-scented ladies'-tresses
Stellaria alsine Grimm	Trailing stitchwort
Stellaria longifolia Muhl.	Longleaf stitchwort
Stenanthium diffusum Wofford	Cumberland featherbells
Sullivantia sullivantii (Torr. & Gray) Britt.	Sullivantia
Symphyotrichum praealtum (Poir.) G. L. Nesom	Willow aster
Symphyotrichum pratense (Rafinesque) Nesom	Barrens silky aster
Symplocarpus foetidus (L.) Nutt.	Skunk-cabbage
Taxus canadensis Marsh.	American yew
Tetragonotheca helianthoides L.	Pineland squarehead
Thaspium pinnatifidum (Buckley) A. Gray	Cutleaf meadow parsnip
Thelypteris simulata (Davenport) Nieuwl.	Bog fern
Tortula ammonsiana Crum & Anders.	Ammon's tortula
Tortula fragilis Tayl.	Fragile tortula
Triantha racemosa (Walter) Small	Coastal false-asphodel
Trichophorum cespitosum (L.) Hartman	Tufted club-rush
Trifolium calcaricum J.L. Collins & Wieboldt	Running glade clover
Trifolium reflexum L.	Buffalo clover
Trillium decumbens Harbison	Trailing trillium
Trillium lancifolium Raf.	Narrow-leaved trillium
Trillium pusillum Michx.	Least trillium
Trillium rugelii Rendle	Southern nodding trillium

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Utricularia cornuta Michx.  
Vaccinium elliottii Chapm.  
Veronica catenata Pennell  
Veronica scutellata L.  
Viburnum bracteatum Rehd.  
Viburnum molle Michx.  
Vitis rupestris Scheele  
Xyris ambigua Beyr. ex. Kunth.  
Xyris fimbriata Ell.  
Xyris tennesseensis R. Kral  
Zigadenus glaucus Nutt.

Horned bladderwort  
Mayberry  
Sessile water-speedwell  
Marsh-speedwell  
Limerock arrowwood  
Softleaf arrow-wood  
Rock grape  
Coastal-plain yellow-eyed-grass  
Fringed yellow-eyed-grass  
Tennessee yellow-eyed-grass  
White camas

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Authority: T.C.A. §70-8-305, 4-5-201 et seq., 70-8-301, et. seq. Administrative History: Original rule filed May13, 1986; effective June 12, 1986. Amendment filed April 27, 1992; effective June 11, 1992. Amendment filed July14, 1999; effective September 27, 1999. Amendment filed October 23, 2000; effective January 6, 2001. Amendment filed October 5, 2004; effective December 19, 2004.

Legal contact and/or party who will approve final copy  
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#### Other Information

The Division has prepared an initial set of draft rules for public review and comment. Copies of these initial draft rules are available for review at the Tennessee Department of Environment and Conservation's (TDEC's) Environmental Field Offices located as follows:

Memphis Environmental Field Office  
Suite E-645, Perimeter Park  
2510 Mount. Moriah Road  
Memphis, TN 38115-1520  
(901) 368-7939/ 1-888-891-8332

Cookeville Environmental Field Office  
1221 South Willow Avenue  
Cookeville, TN 38506  
(931) 432-4015/ 1-888-891-8332

Jackson Environmental Field Office  
1625 Hollywood Drive  
Jackson, TN 38305  
(731) 512-1300/ 1-888-891-8332

Chattanooga Environmental Field Office  
Suite 550- State Office Building  
540 McCallie Avenue  
Chattanooga, TN 37402-2013  
(423) 634-5745/ 1-888-891-8332

Columbia Environmental Field Office  
2484 Park Plus Drive  
Columbia, TN 38401  
(931) 380-3371/ 1-888-891-8332

Knoxville Environmental Field Office  
3711 Middlebrook Pike  
Knoxville, TN 37921-5602  
(865) 594-6035/ 1-888-891-8332

Nashville Environmental Field Office  
711 R. S. Gass Blvd.  
Nashville, TN 37243-1550  
(615) 687-7000/1-888-891-8332

Johnson City Environmental Field Office  
2305 Silverdale Road  
Johnson City, TN 37601-2162  
(423) 854-5400/1-888-891-8332

Additional review copies are available at the following library locations:

McIver's Grant Public Library  
204 North Mill Street  
Dyersburg, TN 38024-4631  
(731) 285-5032

Hardin County Library  
1365 Pickwick Street  
Savannah, TN 38372-1903  
(731) 925-4314

Coffee County-Manchester Public Library  
1005 Hillsboro Highway  
Manchester, TN 37355-2099  
(931) 723-5143

E. G. Fisher Public Library  
1289 Ingleside Ave.  
Athens, TN 37371-1812  
(423) 745-7782

Lawson McGhee Library  
500 West Church Avenue  
Knoxville, TN 37902-2505  
(865) 215-8701

Chattanooga-Hamilton Co. Bicentennial Library  
1001 Broad Street  
Chattanooga, TN 37402-2652  
(423) 757-5320

W. G. Rhea Public Library  
400 West Washington Street  
Paris, TN 38242-0456  
(731) 642-1702

Clarksville-Montgomery County Public Library  
350 Pageant Lane, Suite 501  
Clarksville, TN 37040-0005  
(931) 648-8826

Art Circle Public Library  
154 East First Street  
Crossville, TN 38555-4696  
(931) 484-6790

Kingsport Public Library & Archives  
400 Broad Street  
Kingsport, TN 37660-4292  
(423) 229-9489

Nashville Public Library  
615 Church Street  
Nashville, TN 37219-2314  
(615) 862-5800

Memphis/Shelby County Public Library-  
Main Library  
3030 Poplar Avenue  
Memphis, TN 38111  
(901) 725-8853

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The "DRAFT" rules may also be accessed for review using:

<http://state.tn.us/environment/na/ppo/>

Copies are also available for review at the Nashville Central Office (see address below).

Tennessee Department of Environment and Conservation  
Division of Natural Areas  
7<sup>th</sup> Floor Annex, L & C Tower  
401 Church Street  
Nashville, TN 37243-1535  
(615) 532-1378

Office hours for the Division's offices are from 8:00 AM to 4:30 PM, Monday through Friday (excluding holidays).

Oral or written comments are invited at the hearing. In addition, written comments may be submitted prior to or after the public hearing to: Division of Natural Areas; Tennessee Department of Environment and Conservation; Attention: Mr. Todd Crabtree; 7<sup>th</sup> Floor Annex, L & C Tower; 401 Church Street; Nashville, Tennessee 37243-1535; telephone 615-532-1378 or Fax 615-532-0046. However, such written comments must be received by the Division by 4:30 PM CDT, September 4, 2007 in order to assure consideration. For further information, contact Mr. Todd Crabtree at the above address or telephone number.

I certify that this is an accurate and complete representation of the intent and scope of rulemaking proposed by the Tennessee Department of Environment and Conservation, Division of Natural Areas.

\_\_\_\_\_  
Reginald Reeves  
Director

Subscribed to and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

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My commission expires on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

The notice of rulemaking set out herein was properly filed in the Department of State on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Riley C. Darnell  
Secretary of State

By: \_\_\_\_\_

H: Rare Plants-New